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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/904,131	07/11/2001	Tetsuzo Ueda	53074-026	53074-026 2396	
75	590 01/21/2005		EXAM	EXAMINER	
Michael E. Fogarty McDermott, Will & Emery			SONG, MATTHEW J		
600 13th Street, N.W. Washington, DC 20005-3096			ART UNIT	PAPER NUMBER	
			1765		

DATE MAILED: 01/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
Advisory Action	09/904,131	UEDA, TETSUZO				
, lavious y monem	Examiner	Art Unit				
	Matthew J Song	1765				
The MAILING DATE of this communication appe	ars on the cover sheet with the c	correspondence addi	ress			
THE REPLY FILED 04 January 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.						
PERIOD FOR RE	PERIOD FOR REPLY [check either a) or b)]					
 a) The period for reply expires 3 months from the mailing date of the final rejection. b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f). 						
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
1. A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.						
2. The proposed amendment(s) will not be entered because:						
(a) ☑ they raise new issues that would require further consideration and/or search (see NOTE below);						
(b) ☐ they raise the issue of new matter (see Note below);						
(c) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or						
(d) they present additional claims without canceling a corresponding number of finally rejected claims.						
NOTE: See Continuation Sheet.						
3. Applicant's reply has overcome the following rejection(s):						
4. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).						
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for application in condition for allowance because: See		sidered but does NC	OT place the			
6. The affidavit or exhibit will NOT be considered be raised by the Examiner in the final rejection.	cause it is not directed SOLELY	to issues which we	re newly			
7.⊠ For purposes of Appeal, the proposed amendmen explanation of how the new or amended claims w			and an			
The status of the claim(s) is (or will be) as follows:	· }					
Claim(s) allowed:						
Claim(s) objected to:						
Claim(s) rejected: <u>11-14 and 24-26</u> .						
Claim(s) withdrawn from consideration:						
8. The drawing correction filed on is a) app	proved or b) disapproved by	the Examiner.				
9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s)						
10 ☐ Other:						
NADINE G. NORTON SUPERVISORY PATENT EXAMINER						
	M . A					
•		as L				

Application No.

Continuation Sheet (PTOL-303) 009/904,131

Continuation of 2. NOTE: The scope of claim 11 has been changed by specifying a substrate of sapphire on silicon and an epitaxial layer of group III nitrides and by broading the claim by deleting the limitation the layers exhibit bowing and have the same growth temperature. Claims 28-30 are new limitations, which has not been considered previously. The amended claims would require further search and consideration.

Continuation of 5. does NOT place the application in condition for allowance because: the arguments are directed to the amendment, which was not entered.